

**IN THE UNITED STATES DISTRICT COURT
FOR THE DISTRICT OF NEBRASKA**

UNITED STATES OF AMERICA,

Plaintiff,

vs.

MARCUS D. EVANS,

Defendant.

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8:19CR68

ORDER

This matter is before the court on the government's Motion to Continue Trial [87]. The government's essential witness is unavailable due to a critical family medical issue. The defendant does not object to the continuance. Good cause being shown, the motion shall be granted, and the trial shall be continued.

IT IS ORDERED that the motion to continue trial is granted, as follows:

1. The jury trial, now set for January 27, 2020 is continued to **March 16, 2020**.
2. In accordance with 18 U.S.C. § 3161(h)(7)(A), the court finds that the ends of justice will be served by granting this continuance and outweigh the interests of the public and the defendant in a speedy trial. Any additional time arising as a result of the granting of this motion, that is, the time between **today's date and March 16, 2020**, shall be deemed excludable time in any computation of time under the requirement of the Speedy Trial Act. Failure to grant a continuance would deny counsel the reasonable time necessary for effective preparation, taking into account the exercise of due diligence. 18 U.S.C. § 3161(h)(7)(A) & (B)(iv).
3. A party may object to this order by filing an "Objection to Magistrate Judge's Order" no later than **January 24, 2020**. The objecting party must comply with all requirements of NECrimR 59.2.

DATED January 21, 2020.

**BY THE COURT:
s/ Michael D. Nelson
United States Magistrate Judge**